



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

August 12, 2008

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Lori Verreault, Executive Assistant
Ed Meehan, Town Planner
Dennis Bonitsky, Supervisor – Parks and Grounds

III AWARDS/PROCLAMATIONS

A. B. Peter Hobbs, Building Official – Retirement

Mayor Wright Read the following proclamation:

WHEREAS, Basil P. Hobbs was hired by the Town of Newington as an Assistant Building Inspector on December 2, 1987 and served as an Assistant Building Official, the Deputy Building Official, Zoning Enforcement Officer and Housing Code Enforcement Officer; and

WHEREAS, Pete Hobbs was promoted to the position of Building Official in September of 1997; and

WHEREAS, Pete administered the Building Codes with professionalism and high standards, at times under difficult circumstances, and always tried to serve the Town's customers with patience and understanding while keeping the public's health, safety and welfare at the forefront; and

WHEREAS, Pete worked diligently to stay abreast of all the Code requirements as well as providing opportunities for his staff to attain high professional standards; and

WHEREAS, in addition to his duties for the Town of Newington, Pete Hobbs found the time to serve on the Zoning Board of Appeals, the Planning and Zoning Commission and as a member of the Town Council in Vernon, where he has lived since 1959; and

WHEREAS, B. Peter Hobbs was recently appointed as the Building Official in the Town of Vernon and will be retiring from his service to the Town of Newington;
NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby extends its appreciation to Pete Hobbs for his many years of service to the residents of Newington, helping to keep them safe, and wishes him much success in his future endeavors.

Mayor Wright commented that he has always heard good things about Mr. Hobbs from people around Town and developers throughout the State. He thanked Mr. Hobbs on behalf of the Town Council for his nearly twenty-one years of service and stated that Mr. Hobbs will do a great job in the Town of Vernon.

Mr. Hobbs commented that it has been an enjoyable twenty-one years working with the Town and he has seen many wonderful things develop in the Town throughout the years with more to come in the future. He thanked the Town for its appreciation.

Deputy Mayor Lenares congratulated Mr. Hobbs on his retirement, noting that Mr. Hobbs' work has been for the betterment of the Town. Councilor Cohen stated that she has always heard wonderful things about Mr. Hobbs and thanked him for his service. Councilor Bowen thanked Mr. Hobbs for his years of service and thanked him for being an important part of the Town's development over the years. He wished Mr. Hobbs well in Vernon.

Public Comment

Don Woods, 82 Ivy Lane: Mr. Woods stated that he has had the good fortune of working with Mr. Hobbs on two major projects and remarked that Mr. Hobbs was always the voice of reason. He stated that Mr. Hobbs was a great building inspector and will be sorely missed by the Town.

Motion seconded by Councilor Cohen. Motion passed 9-0.

IV PUBLIC PARTICIPATION

Joe Bernacki, 138 Mountain View Drive: Mr. Bernacki spoke about an issue he has had with a fence recently installed on his property. He stated that the issue was not the installation of the fence, it was that he received a letter from the Town a month after the fence was installed stating that he was in violation for having a six-foot fence installed as well as for having the fence installed on a Town right of way. Mr. Bernacki stated that he has pictures that the fence was a replacement that was actually done twice in the past thirteen years and he stated that he has been informed that he needs to pay a surveyor to determine his property lines and move the fence back. He commented that he has become frustrated in working with the TPZ on the issue and asked for guidance from the Council. Mayor Wright explained that it is the policy of the Council to listen during the Public Participation portion of the meeting agenda and address the public comments during the Remarks by Councilors section of the meeting agenda later in the meeting.

Sandy Lallier, 27 Elton Drive: Mrs. Lallier noted that she had spoke about the Safety Committee at the last Council meeting and had requested that the Council consider keeping the Safety Committee as-is. She stated that the Safety Committee is one of the most effective committees in Town in terms of public participation and hearing the thoughts and concerns of the public. She stated that she did not like the idea of having the Council getting involved and trying to change what had been created, and remarked that she didn't see a need for the change. Mrs. Lallier noted that the item was on the current meeting agenda for a vote and requested that the Council table the vote and consider keeping the Committee as-is. She stated that it is a vital Committee that has revitalized the people of Newington and has caused people to be more involved with making a safer and cleaner Town.

V CONSIDERATION OF OLD BUSINESS

A West Meadow Cemetery Expansion Update and Possible Action

Don Woods, West Meadow Cemetery Expansion Project Building Committee Member; Dennis Bonitsky, Supervisor – Parks, Grounds and Cemeteries; and Aris Stalis, Project Manager – BSC group came forward to update the Council on the project.

Councilor Cohen, Chair of the West Meadow Cemetery Expansion Project Building Committee, explained that the Committee has come up with its plan for the West Meadow Cemetery expansion and is seeking Council

approval of the plans and approval to move forward with the bidding process. She noted that the Committee is a little bit short in the funds it has appropriated for the project so far and stated that the Committee would like to move forward with the bidding process. She stated that once the bids come in the Committee will ask for additional funding if necessary. She indicated that the Committee is asking for some additional funding now, but due to Charter provisions the Committee can not ask for the full amount at the present time. She stated that the Committee is asking for as much funding now as is allowed under the Charter.

Mayor Wright requested clarification about the allocation of the funds. Councilor Cohen explained that the Cemetery's budget is independent of the Town's budget. She stated that there is about \$900,000 available in the Cemetery's fund, but it has not been appropriated for this particular project; therefore some of that money will need to be shifted over to the project fund. She indicated that the Council can authorize an appropriation of \$125,000 to the project fund at the present meeting, and indicated that if that is not enough when the bids come in the Committee will ask for additional appropriations. Mayor Wright stated that the funds will not come from the Town's operating budget; they will simply be shifted from the Cemetery's budget into the budget for this project. Councilor Cohen agreed.

Mr. Stalis presented the West Meadow Cemetery master plan to the Council. The Councilors received copies of the plans. He outlined the following components of the plan:

Overview:

- The expansion of the existing West Meadow Cemetery
- The development of an additional, specific area to be used for veterans
- The remaining "common" area, developed for flexibility of design, efficiency and choices of how to use the space
- New elements such as roadways
- The veterans' area, which includes an entryway, walkway, monument area and wall space for cremation niches.
- A second area of cremation niches designed to create small, intimate spaces and various choices for use.
- A bunker along the DPW garage
- Topography
- Vistas
- Views
- Landscape
- Veterans' ceremony space design, including five granite pillars that represent the five armed forces
- Cremation niche and wall designs that can be replicated throughout the grounds if the need develops

Cost Elements:

- The veterans' monument, which includes pavement and the granite monuments adds about \$50,000 to the cost of the project
- Concrete foundations for monuments, an infrastructure item, adds about \$50,000 to the cost of the project but will bring long term savings in labor costs.
- Construction costs have increased; the plan has been developed in such a way that the project has a number of separate line items rather than one lump sum so that the Committee can control the various line items as funds become available.

Councilor Cohen inquired about the foundations for the monuments. Mr. Stalis explained that the foundations are three-foot concrete trenches that are about one foot wide. He stated that it is a simple operation of pouring the concrete and by doing it now it will make it easier for the residents in the future. Councilor Cohen stated that the Cemetery can recoup some of the costs for the foundations. Town Manager Salomone inquired whether there is currently a fee for the foundation, or whether it is part of the purchase of the monument. Mr. Bonitsky replied that the foundation is currently arranged for by the stone seller and is part of the cost of the stone. He noted that some of the foundation work done in the past has been suspect and stated that a long, continuous foundation would be better. Town Manager Salomone inquired whether the Cemetery would charge a fee for the foundations. Mr. Bonitsky replied that the cost would be rolled into the price of a grave space, and would eliminate concerns about the quality of the work.

Councilor Banach inquired about the number of trees included in the landscaping cost. Mr. Stalis replied that it includes about forty-five trees. Councilor Banach inquired about the cost basis for the trees. Mr. Stalis replied

that it is three times the wholesale price, or roughly \$450 per tree depending on the species. Councilor Banach inquired about the cost basis of the perennials in the plan. Mr. Stalis replied that the plan calls for roughly 700 perennials at about \$15.00 each.

Councilor Bowen inquired how many monument foundations are included in the \$50,000 cost. Mr. Stalis replied that the cost will cover about 1000 sites. Councilor Bowen remarked that \$50.00 per site is not a big expense per site.

Mayor Wright remarked that it is a great plan with great foresight and commented that he especially likes the proposed veterans' area.

Councilor Cohen moved the following:

RESOLVED:

Pursuant to Chapter 8, Article X, Section 8-45, Project Building Committees, of the Newington Code of Ordinances, the Newington Town Council hereby approves the final plans and cost estimates for the West Meadow Cemetery Expansion as reviewed by the Town Council on August 12, 2008 and as recommended by the West Meadow Cemetery Expansion Project Building Committee and authorizes the project to proceed to bid.

Motion seconded by Councilor Nasinnyk.

Councilor Cohen reiterated her earlier statements that the Committee will evaluate the budget as the bids come in and will appropriate additional funds in accordance with the Charter if necessary. Councilor Bowen reiterated that there is plenty of money in the Cemetery Fund, but noted that there is a Town ordinance that states that funds cannot be moved from one account to another in the first six months of a budget, so therefore the Committee cannot move all of the money it needs now without going through the ordinance process to get it done. Councilor Cohen clarified that the Charter states that any appropriations over \$125,000 would require an ordinance. She reiterated that there is over \$900,000 in the Cemetery Fund that is separate from the Council's budget and not currently appropriated for the project.

Councilor Nasinnyk commented that she has enjoyed serving on the Committee and stated that it has been a remarkable project. She complimented Councilor Cohen for doing a wonderful job as Chair of the Committee, and remarked that the meetings have been a wealth of information and a lot of thought has gone into the project. Councilor Cohen reiterated that while the entire project is being designed at this point, it will only be built as much needed until the year 2025, and there will be space left for future development. She stated that it is a beautiful place.

Motion passed 9-0.

Councilor Cohen moved the following:

CERTIFICATION:

In accordance with Section 807 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Cemetery Fund, the amounts listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
Undesignated Fund Balance – Cemetery Fund		\$125,000

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in Cemetery Fund to the following accounts:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
87018	Capital Improvements – Cemetery Construction	\$125,000

Motion seconded by Councilor Bottalico. Motion passed 9-0.

B Action on "An Ordinance Establishing a Committee on Community Safety"

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby adopts Proposed Ordinance 0709-3 entitled "An Ordinance Establishing a Committee on Community Safety."

Motion seconded by Deputy Mayor Lenares.

Councilor Cohen commented that this ordinance is not making the current Joint Committee on Community Safety into a permanent Committee; rather it is replacing it with something else that has different membership. She stated that the new Committee has not been tested at all and noted that it is not being done by resolution; it is being done by ordinance which makes it a permanent Committee right off the bat. She noted that eight citizens spoke in opposition of the ordinance at the Public Hearing, and the one citizen that spoke in favor of the ordinance has never been to a Committee meeting. She requested that the Council listen to the public and table the ordinance for the time being and leave the current Committee as-is for another year to see how it works out. Councilor Cohen stated that she is opposed to the ordinance.

Councilor Nasinnyk agreed with Councilor Cohen's statements, and stated that concerned people have come out and asked the Council to table the ordinance so that the Committee can stay as-is. She remarked that the Committee has strived and has done so well, and noted that any efforts to bring politics into the Committee have been squashed. She stated that the Committee has done well in addressing the concerns of the public and making suggestions to the appropriate Committees or departments to be handled. Councilor Nasinnyk stated that she would like to see the Committee remain as-is. She stated that she is in favor of a permanent Safety Committee, but not as written in the ordinance. Councilor Nasinnyk noted that she had made suggestions on changing the language of the ordinance, but noted that the language remains as previously written, despite public opinion. She stated that she is not in favor of disbanding the current Committee.

Councilor Banach stated that what this agenda item basically does is vacate a working Committee and eliminates a very effective Committee. He noted the eight speakers at the Public Hearing that spoke in favor of the current Committee and complimented the Committee's work and accomplishments. He remarked that the credentials of the members of the current Committee are unquestionable and stated that he can't understand why the Council needs to change the Committee. He stated that there is no reason to vacate and change a Committee that works.

Councilor Bowen agreed with Councilors Cohen, Nasinnyk and Banach. He stated that he had some questions about the ordinance:

1. Does the Council need to dissolve the current Committee or will the Town have two Committees? He stated that the Council is going to have to vote on telling the current members that they are no longer needed.
2. The name of the proposed Committee is the Committee on Community Safety, and the ordinance calls for it to be staffed by the Director of Human Services. Councilor Bowen stated that someone from the Police Department should staff the Committee.
3. Is the Council authorized to appoint two liaisons from the Board of Education to this Committee? Councilor Bowen indicated that he had asked both the Town Manager and the Town Attorney and was still awaiting an answer. He stated that the Council should table the vote until there is an answer from the legal counsel whether or not this is appropriate.

Councilor Bowen stated that he is against disbanding the current Committee which has been a very successful Committee and has done everything the Council has requested. He remarked that he does not like the purpose of the proposed Committee as written, because it creates a reactive group rather than a proactive group. He stated that the current Committee is highly proactive, and stated that he will vote against changing a Committee that works. He again stated that the Council should check with legal counsel prior to voting on the ordinance.

Councilor Nagel noted that he was not present at the Public Hearing, but read through the public comments. He stated that he did not see anything new from previous comments made in regards to the Committee. He stated that it depends on how you look at it, and noted that present Committee members can be appointed to the new Committee at the discretion of those who make the appointments. He stated that he does not see it as destroying a temporary Committee; rather he sees it as making something that is temporary into something that

is permanent. Councilor Nagel stated that while he does not have the answer to Councilor Bowen's questions regarding the Board of Education he noted that the previous Council did create the temporary Committee with Board of Education members as Committee members. Councilor Bowen replied that if the answer was that easy then the Attorney would have had that simple answer. Councilor Nagel replied that he was not questioning Councilor Bowen's statements and was just pointing out what was done by the previous Council. Councilor Cohen remarked that Councilor Nagel's statement about current members being reappointed "at the discretion of those who make the appointments" is the problem. Town Manager Salomone stated that liaisons are handled differently than Committee members and stated that the Board of Education would select its own liaisons to the Committee.

Mayor Wright stated that Town Attorney Ancona wrote the proposed ordinance to reflect the characteristics of the existing committees. He stated that this will be made a permanent Committee very similar to other permanent committees in Town in which elected officials are liaisons rather than voting members. He stated that the ordinance sets up parameters for the Committee and sets a charge for the Committee. Mayor Wright remarked that it is a very good step for the Town to make this a permanent Committee. He stated that it is important for the safety of this Town and its citizens and children and stated that this is being taken very seriously. Mayor Wright remarked that it is important to remember that the current Committee was set up by the previous Council on a temporary basis and without any term limits for its members. He stated that to expect the existing Committee to go on with its existing members and without limits is not democratic.

Councilor Bowen requested a roll call vote:

Councilor Banach – no
Councilor Boni – yes
Councilor Bottalico – yes
Councilor Bowen – no
Councilor Cohen – no
Councilor Lenares – yes
Councilor Nagel – yes
Councilor Nasinnyk – no
Mayor Wright – yes

Motion passed 5-4

C Action on FEMA Regional Multi-Hazard Mitigation Plan

Councilor Bottalico moved the following:

WHEREAS, the Town of Newington in collaboration with the Capitol Region Council of Governments (CRCOG) has developed a Capitol Region Pre-Disaster Natural Hazard Mitigation Plan; and

WHEREAS, the Town of Newington has established and prioritized goals and strategies for reducing the loss of life and property from natural hazards that affect the region within the Capitol Region Pre-Disaster Natural Hazards Mitigation Plan; and

WHEREAS, the Federal Emergency Management Agency/ Department of Homeland Security has approved the Capitol Region Pre-Disaster Natural Hazard Mitigation Plan, on condition of local adoption, enabling the Town to apply for Hazard Mitigation grant funding;

NOW, THEREFORE, BE IT RESOLVED, that the Newington Town Council hereby adopts the 2008 Capitol Region Pre-Disaster Natural Hazards Mitigation Plan.

Motion seconded by Councilor Boni. Motion passed 9-0.

D Action on Education Facilities Project Building Committee – Final Report

Deputy Mayor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the final report dated July 2008 of the Education Facilities Project Building Committee and formally discharges this committee;

BE IT FURTHER RESOLVED:

The Newington Town Council hereby expresses its appreciation to the Chairman and to all the members, past and present, of the Education Facilities Project Building Committee for their diligence in overseeing the additions and renovations to Elizabeth Green and Ruth Chaffee Elementary Schools and for providing two “renovate as new” schools that are bright, modern, comfortable and code compliant for Newington’s children.

Motion seconded by Councilor Bowen.

Councilor Bowen noted that the project came in under budget by nearly \$20,000. Councilor Cohen commended the Committee’s Chair, Alan Bongiovanni, for his efforts on the project.

Motion passed 9-0.

E Action on Revision to “Classification and Pay Plan” – Building Official Job Description

Councilor Boni moved the following:

RESOLVED:

The Newington Town Council hereby approves of amendments to the “Classification and Pay Plan” by approving a job/position description for Building Official (A-9) as recommended by the Town Manager in his capacity as Personnel Director.

Motion seconded by Councilor Cohen. Motion passed 9-0.

F Action on Grant Application –Municipal Parking Lot Improvement Project

Deputy Mayor Lenares moved the following:

WHEREAS, pursuant to Connecticut General Statutes Section 4-66c Urban Action Bonds the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Newington make an application to the State for \$1,000,000 in order to undertake the Municipal Parking Lot Improvement Project.

NOW, THEREFORE, BE IT RESOLVED BY THE NEWINGTON TOWN COUNCIL:

- 1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Urban Action bonds; and**
- 2. That the filing of an application for State financial assistance by the Town of Newington in an amount not to exceed \$1,000,000 is hereby approved, and that John L. Salomone, Town Manager, is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Newington.**

Motion seconded by Councilor Nagel.

Town Manager Salomone explained that this has already been approved by the Bond Committee and is part of the formal process to receive the funds.

Councilor Cohen inquired about the prerequisites imposed by the Urban Actions Bonds, as noted in the resolution. Town Manager Salomone replied that the prerequisites include items such as Affirmative Action programs (reminder of comment not clear on the tape). Mayor Wright indicated that the requirements are almost identical to the requirements of the STEAP grants.

Councilor Bowen inquired about the language "amount not to exceed \$1,000,000" and inquired why the language limits the amount to \$1,000,000. Mayor Wright explained that the Town has been approved for up to \$1,000,000, and if the project costs less than \$1,000,000 the Town will have to return the difference and if the project costs more than \$1,000,000 then the Town will not receive additional funds from the grant.

Motion passed 9-0.

G Consideration of Canceling August 26 Meeting

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby alters its meeting schedule by canceling its regular meeting scheduled for August 26, 2008.

Motion seconded by Councilor Boni.

Councilor Nasinnyk noted that the Council voted on this item at the last Council meeting and it did not pass and inquired whether the Council can vote on the item again. Town Manager Salomone replied in the affirmative.

Councilor Bowen noted that the Charter Revision Commission is running towards its deadline if the Charter revision is to get on the November ballot for public vote. He inquired if canceling the August 26 Council meeting is admitting that the Charter revision will not get on the November ballot. Mayor Wright stated that the issues are unrelated. He stated that the Charter Commission's next meeting is scheduled for Tuesday, August 19, and the Commission will not be prepared to bring anything to the Council by August 26. (Several people speak at once.) Councilor Boni, Charter Revision Committee member, stated that the Charter Commission is only scheduled to meet once in August and will not have anything ready for the Council by August 26. Councilor Bowen stated that there is a two month period to get an item to referendum and inquired whether canceling the August 26 meeting will have any effect on getting the item on the November ballot, and stated that he hopes that the vote on Charter revision will occur during the November ballots in order to get a strong voter turnout as opposed to having a special referendum. He noted that the Commission's agenda for its upcoming meeting indicates that the Commission is moving towards finishing up and making recommendations. Councilor Boni stated that the Commission may make it or it may not. Councilor Bowen stated that if that is the case then the Council should not cancel the August 26 meeting. Mayor Wright noted that it is a moot point, since there is no time for the Commission to have its required Public Hearing between its meeting on August 19 and the Council meeting on August 26. He added that the minimum requirement to get an item on the ballot is not two months, and if the Commission sends its recommendations to the Council by the beginning of September there may be enough time to get the item on the November ballot. Councilor Bowen inquired whether it is less than a sixty-day process to get the item on the ballot for a vote. Mayor Wright replied that the State Statute does not require sixty days.

Motion passed 6-3 (Councilors Banach, Bowen and Nasinnyk opposed)

VI CONSIDERATION OF NEW BUSINESS

A Downtown Revitalization Committee Update and Review of Request for Proposals

Town Planner Ed Meehan stated that the Downtown Revitalization Committee met just prior to the Council meeting and it reviewed the draft Request for Proposal. He stated that the Committee has authorized the staff to advertise the RFP and it will be advertised in the Hartford Courant on Sunday, August 17, and specifications will be available for pickup on Monday, August 18. He stated that the Committee is requesting that the proposals be returned to the Town Manager's office by September 8, and stated that a short list will be created at that time for Committee interviews. Mr. Meehan stated that optimistically there should be a contract awarded by the end of September, and the first step will be to start to develop conceptual plans with preliminary costs for the Committee's consideration.

Mayor Wright inquired whether the Committee voted unanimously to approve the draft RFP. Mr. Meehan replied in the affirmative. Mayor Wright stated that the Committee has had six meetings since its inception, and inquired whether votes by Committee members have generally been unanimous. Mr. Meehan replied that the Committee has had general consensus, and indicated that most of the discussions have been conceptual in nature and have involved input from various parties.

B Town Hall Heating System Replacement Update and Award of Bid (Action Requested)

Councilor Boni moved to waive the rules to take action on the item. Motion seconded by Deputy Mayor Lenares.

Councilor Bottalico, Town Hall Heating System Replacement Building Committee member, explained that the Council is being asked to approve contracts for the installation of the heating system in the Town Hall. He stated that there are time constraints due to the need to complete the project before the heating season begins. Mayor Wright explained that the Council is being asked to waive the rules to accept one of the two bids received.

Motion to waive the rules passed 9-0.

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council, pursuant to Chapter 8, Article X, Project Building Committees, of the Newington Code of Ordinances, and upon the recommendation of the Town Hall Heating System Replacement Building Committee hereby accepts the bid and authorizes the Town Manager, John L. Salomone, to execute appropriate contracts with Modern Mechanical Systems of Farmington, CT in the amount of \$359,800.00 for installation of a heating system in the Newington Town Hall.

Motion seconded by Deputy Mayor Lenares.

Town Manager Salomone noted an email from Bob Korpak indicating that the asbestos testing in the boiler room came back negative for asbestos. He stated that this is good for the budget and will also help keep the project on time.

Motion passed 9-0.

Councilor Bottalico explained that the Committee will come back with Phase II proposals which include heating, air conditioning and electrical work for the Town Hall. He also noted that Phase III will include the lower level of the Town Hall. Mayor Wright stated that the Committee and Bob Korpak have done a fantastic job. He indicated that the costs are coming in lower than the initial estimates.

VII RESIGNATIONS/APPOINTMENTS (none)

VIII TAX REFUNDS

Councilor Bowen moved the following:

RESOLVED:

That property tax refunds in the amount of \$4,914.84 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

Motion seconded by Councilor Banach. Motion passed 9-0.

IX MINUTES OF PREVIOUS MEETINGS

A Public Hearing, Community Safety Comm. Ordinance, July 22, 2008

Councilor Nasinnyk moved to accept the minutes of the Public Hearing, Community Safety Comm. Ordinance, July 22, 2008. Motion seconded by Councilor Cohen. Motion passed 9-0.

B Regular Meeting, July 22, 2008

Councilor Bottalico moved to accept the minutes of the Regular Meeting, July 22, 2008. Motion seconded by Councilor Boni. Motion passed 9-0.

X WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

Town Manager Salomone updated the Council on the Main Street paving project. He stated that the paving will be done to the West Hartford line within the next week, and indicated that the paving portion of the project will be less difficult than the milling portion of the project. Town Manager Salomone stated that the Garfield Street bridge project is in its final stages and should be completed prior to the beginning of the school year.

Town Manager Salomone stated that tests of new drainage systems have gone very well and have worked very well with the recent heavy rains. He stated that the flood control project on Reservoir Road is in progress and the piping has been completed. He stated that the Hall Court project is in its preliminary stages.

Councilor Boni inquired about whether there are any ordinances regarding what time construction crews are allowed to start work in the morning. Town Manager Salomone replied that it would fall under noise ordinances and stated that he will find out the exact times indicated on the ordinance. He stated that the time is different on the weekdays than it is on the weekends.

XI COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel reported on the NCTV Channel 14 meeting:

- NCTV will be holding its Auction Telethon on Saturday, November 15, 2009 from 3:00pm – 11:00pm.
- NCTV has requested that the Council consider a resolution allowing NCTV to sign an interconnection contract with AT&T in order for AT&T to broadcast NCTV programming on cable access channels. NCTV is experiencing problems with Cox Cable on the issue, as Cox Cable has stated that NCTV cannot do this. NCTV has inquired with the DPUC as to the legality of the issue. Mayor Wright inquired whether the programming will be broadcast on both AT&T and Cox. Councilor Nagel replied in the affirmative. Councilor Bottalico inquired as to whether Cox owns any of the NCTV equipment, and noted that this may be part of the issue. Councilor Nagel stated belief that some of the equipment may have been provided by Cox.

XII PUBLIC PARTICIPATION

Sandy Lallier, 27 Elton Drive: Mrs. Lallier noted that the Council voted vehemently on the Safety Committee issue with half of the table voting in favor of the ordinance and half voting against the ordinance. She stated that she saw no need to change the Committee or for the Council to have any political hand in the Committee. She stated that the Committee has never had any political factor involved; rather it has been a grassroots happening in the Town of Newington by the people of Newington, and the neighborhoods that have been asking for help. She stated that the neighborhoods are getting help from the current Committee and stated that the Committee listens to the people and makes them feel like they can come to the table and put anything on the table. Mrs. Lallier stated that the Council proved, with its vote, that it is not concerned with the public opinion. She stated that she voted for Mayor Wright, but indicated that she will not vote for him next time. She commented that Mayor Wright wants to be the boss of every Town Committee. She stated that the Committee had no reason to be changed from what it was and stated that the vote to change the Committee as it stood was a vote of no-confidence for the people that have been directly affected through it. She noted that the last meeting had eight speakers who were directly affected by the Committee and remarked that those eight people had gone through different channels in Town to help improve their neighborhoods and stated that the vote has indicated that this does not matter. Mrs. Lallier remarked that the Mayor wishes to be the boss of everything that goes on in the Town and stated that she did not know how many Safety Committee meetings the Mayor has attended, but commented that if he had felt what was going on in those meetings he might have tabled this item for a while longer. She stated that she is disappointed and inquired as to the vision the Mayor has for the Town. She stated that the Safety Committee was progressing and making big strides and allowing people to have

confidence in their Town again and stated that the Mayor has just determined that the Committee will start over from scratch and be done his way. Mrs. Lallier again expressed disappointment with the Council's decision. Mayor Wright indicated that Mrs. Lallier had reached the three minute limit with her comments. Mrs. Lallier stated that she had no further comments.

Rose Lyons, 46 Elton Drive: Ms. Lyons commented that she is disappointed and disgusted regarding the Council's vote (on the Safety Committee). She stated that she could see the vote coming, and remarked that there was no sense in the public coming out to voice their opinions because their opinions fell on deaf ears. She stated that this has been going on for six months. Ms. Lyons remarked that she has noticed underlying tones from this Council since the beginning that there would be a complete change once the new Councilors were elected. She stated that the new Council was elected in November and saw that people wanted change. Ms. Lyons stated that she thought that the change would be that people would be listened to; instead members have apparently brought their own agendas. She stated that she hopes the Council will listen to the public in the future.

XIII REMARKS BY COUNCILORS

Councilor Nasinnyk inquired as to whether the Facilities Naming Subcommittee had met regarding recent requests. Deputy Mayor Lenares replied that the Subcommittee has not yet met, and noted that he has had discussions with the Town Manager to resolve some issues and the Subcommittee should be able to meet soon.

XIV EXECUTIVE SESSION RE: PERSONNEL, LITIGATION

Councilor Bowen moved to go into Executive Session Re: Personnel, Litigation at 8:26pm. Motion seconded by Councilor Nasinnyk. Motion passed 9-0. Mayor Wright, all Councilors, Town Manager Salomone and Town Attorney Ben Ancona were present at the Executive Session (re: Litigation). Town Manager Salomone and Attorney Ancona exited the Executive Session at 8:55pm (re: Personnel).

Councilor Nasinnyk moved to go out of Executive Session at 9:45pm. Motion seconded by Councilor Nagel. Motion passed 9-0.

XV ADJOURNMENT

Councilor Boni moved to adjourn the meeting at 9:46pm. Motion seconded by Councilor Cohen. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council